



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2400043
Applicant Name : Sandy Dinsmore
Address of Proposal: 12303 Roosevelt Way North East

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into five (5) lots (Unit Lot Subdivision). Proposed lot sizes are: A) 1,008 square feet, B) 830 square feet, C) 1,222 square feet, D) 1,840 square feet; and E) 1,582 square feet. Related projects: establish use, demolish an existing single family residence, and construct two townhouse structures, MUP No. 2308052.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into five lots as a unit subdivision.
(Chapter 23.24.046, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND

Site and Vicinity Description

The approximately 6,486 square foot property is located the northwest corner of the intersection of NE 123rd Street and Roosevelt Way NE. Pedestrian and vehicle access to the site is from both streets.

The subject lot is zoned Lowrise 2 (L2). The surrounding lots have a variety of zones and uses. Directly to the west the lot is also zoned L2 and contains a multi-family structure. Beyond this lot to the west and across NE 123rd to the south the zoning is Single Family 7200 (SF 7200) and the uses are single-family structures. Directly to the north along the same side of Roosevelt Way NE the zoning is L2 and contains a multi-family structure. Beyond this lot to the north the zoning is NC 2-40 and is occupied by a commercial building with a grocery and extensive parking. Across Roosevelt Way NE to the east the zoning is Lowrise 3 (L3) with a number of multi-family structures. To the southeast across Roosevelt Way NE the zoning is L2 and the lot contains multi-family structures. All of these developments are consistent with the Land Use Code.

Proposal

The proposal is to subdivide one parcel into five (5) unit lots. The parent parcel is 6,486 square feet in area. The proposed lot sizes are: A) 1,008 square feet, B) 830 square feet, C) 1,222 square feet, D) 1,840 square feet; and E) 1,582 square feet. A joint vehicle access easement driveway extending from NE 123rd St will provide vehicle access to all proposed lots, as well as pedestrian access. Pedestrian access for all proposed Unit Lots is as follows: Unit Lots A and B will be from Roosevelt Way NE, Unit Lot C will be from both Roosevelt Way NE and NE 123rd Street, Unit Lots D and E will be from NE 123rd Street, with the access for Unit Lot E provided by an easement across Unit Lot D specifically for the benefit of Unit Lot E. The proposed new structures containing proposed Unit Lots A, B and C and Unit Lots D and E have been reviewed and approved for applicable code compliance under MUP No. 2308052.

Public Comments

The comment period for this proposal ended on February 11, 2004. No comment letters were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Structural Reviewer, the Drainage Section, the Fire Department, Seattle Public Utilities, City Light; and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned Multi-Family Lowrise 2 (L-2) and all development must conform to the requirements of the applicable provisions of the Seattle Municipal Code (SMC). These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. The establishment of use for the townhouses and their construction was reviewed under these provisions and approved and permitted under MUP No. 2308052.

The allowable density of the subject property is one dwelling unit per twelve-hundred (1,200) square feet of lot area. The lot area is approximately 6,486 square feet, hence five (5) units are allowed. Maximum lot coverage is fifty (50) percent (SMC 23.45.010.A.1). Total lot coverage of the proposed structures was reviewed for conformance with this requirement and approved under MUP No. 2308052. Required parking for all units is provided on site and is accessed through an easement extending from NE 123rd Street. Pedestrian access to all units is as described in *Site and Vicinity Description* above. Building set-backs, height limitations, and the provision of open space were reviewed for conformance to the development codes for this zone and were approved under the above mentioned MUP.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Vehicle access for all units is provided through the join access easement extending through the center of the parcel from NE 123rd Street.

All utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#260429-1-050) to provide for electrical facilities and service to the proposed lots, which must be included on the final plat. (Attachment A)

The Seattle Fire Department has reviewed and approved the proposed unit lot subdivision for the provision of adequate emergency vehicle and personnel access.

All proposed Unit Lots will be addressed from NE 123rd Street. To assure adequate address identification of Unit Lots A, B and E, address signage for these Unit Lots shall be posted at a

location visible from NE 123rd Street on the proposed utility access easement. A covenant shall be recorded with the final plat to ensure that the address signage is maintained by all users.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

Review for drainage and sanitary sewage disposal indicates these services are adequately provided for this unit lot subdivision.

Seattle Public Utilities has reviewed this proposal and assures water availability access for all parcels. A minimum ten (10) foot easement for access is required for proposed Unit Lots B, C, D, and E (and A if necessary). Unit Lots A and C can obtain access directly from the right of way (See Water Availability Certificate # 2004-0065) (Attachment B).

4. *Whether the public use and interests are served by permitting the proposed division of land;*

Unit Lot Subdivision allows for the subdivision of common wall (attached) ground related townhouse structures. Ground related townhouse structures are allowed outright in the L-2 zone. This process therefore makes possible separate ownership of individual units that otherwise would be owned by one party and consequently some or all units would be available on a shared ownership or rental basis only.

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code for L-2 development regulations and the applicable approval criteria for short platting.

The public use and interests are thereby served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240, therefore this criterion does not apply.

6. *Is designed to maximize the retention of existing trees;*

There are no existing trees on the lot. As a part of approval for the construction of the townhouse structures (MUP 2308052) SMC 23.45.015 required the planting of a minimum of 2 caliper inches of tree for each 1,000 square feet of lot area. For this 6,486 square foot lot the required caliper inches of trees will be 12.96 inches.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Two townhouse structures, one with three units, the other with two units, were approved under MUP 2308052. Pursuant to SMC 23.24.045(A and B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be

subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards at the time of approval. To assure that future owners have constructive notice that additional development may be limited due to nonconformities the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

Summary

The proposed Unit Lot Subdivision meets the criteria of SMC 23.24.040 and 045, Short Plats and Unit Lot Subdivisions. Pursuant to the above discussion and the following conditions, it is thereby approved.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Submit the final recording forms for approval and any necessary fees.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
3. Provide a covenant or easement assuring the posting of address signage for Unit Lots D and E in the Ingress, Egress and Utility Access Easement shown on the face of the plat or other convenient and appropriate location visible from the street.

Signature: (signature on file) Date: April 15, 2004

Art Pederson, Land Use Planner
Department of Planning and Development
Land Use Services